

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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**FAIR EMPLOYMENT AND HOUSING COMMISSION AWARDS \$167,486
IN PRECEDENTIAL SEXUAL HARASSMENT AND HATE VIOLENCE
CASE**

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SACRAMENTO -- The Department of Fair Employment and Housing ("DFEH") announced today that the Fair Employment and Housing Commission ("Commission") has awarded \$167,486 in a precedential case involving sexual harassment and hate violence.

"We are extremely pleased with the outcome of this important case," stated DFEH Director Suzanne M. Ambrose. "The Commission's decision reiterates that sexual harassment and acts of violence will not be tolerated in California workplaces and emphasizes the importance of this department's ongoing education and outreach efforts as a means of preventing future cases."

Following a three-day hearing, the Commission concluded that Kurt J. Bottoms violated the Fair Employment and Housing Act by subjecting his female employee to both quid pro quo ("something for something") and hostile work environment sexual harassment. Bottoms also violated the Ralph Civil Rights Act, California Civil Code section 51.7, which prohibits violence or threats of violence against persons or property because of their sex. Bottoms threatened the complainant and her family with death if she did not accede to his demands for sex, stalked and intimidated her.

Bottoms' former employee filed a complaint with the DFEH in July 2003, alleging that she was sexually harassed by her employer and landlord, Kurt D. Bottoms, and threatened by him when she objected to his advances. She was employed as a personal assistant in Bottoms' Richmond, California, real estate office beginning in January 2003, and subsequently rented a home from him. During her employment, Bottoms demanded that she engage in sexual conduct with him in order to retain her job. When she rebuffed his advances, Bottoms subjected her to offensive and degrading epithets and verbal abuse, both when they were alone and in front of his other employees. Undeterred, Bottoms pursued the complainant with expensive gifts, made inappropriate comments about her body, demanded that she work long hours and travel with him, and telephoned her at home at all hours.

Bottoms' unlawful conduct escalated over time, culminating in his making threats upon her life and the lives of her family. After the complainant quit her job and obtained a restraining order against Bottoms in July 2003, he continued to pursue and intimidate her.

The Commission's Order requires Bottoms to pay the complainant \$100,000 to compensate for the emotional distress she suffered as a result of his conduct, \$12,486 in wages lost from the time she was forced to leave her employment with Bottoms until she began working again in January 2004, and a \$25,000 civil penalty for violating for the Ralph Act. Bottoms was also ordered to pay a \$30,000 administrative fine directly to the state's General Fund.

In order to prevent future violations, Bottoms was ordered to develop and implement a written policy that prohibits sexual harassment in the workplace which he must distribute to all of his employees and post in the workplace, along with notice of the Commission's Order. Bottoms is also required to attend interactive training on the requirements of the Fair Employment and Housing Act.

For more information about the work of the DFEH or the laws it enforces, including, in addition to the Ralph Civil Rights Act, the Fair Employment and Housing Act and Unruh Civil Rights Act, visit the DFEH's website: www.dfeh.ca.gov.